

PROB 12B
(7/93)

Report Date: December 4, 2009

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 11 2009

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Robert Lynn Rich

Case Number: 2:02CR00181-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 9/5/2003

Type of Supervision:

Original Offense: Possession With Intent to
Distribute More Than 5 Grams of Pure
Methamphetamine, 21 U.S.C. § 841(a)(1);
Distribution of a Mixture or Substance Containing a
Detectable Amount of Methamphetamine, 21 U.S.C.
§ 841(a)(1); Possession of a Unregistered Firearm, 26
U.S.C. § 5841, 5861(d), and 5871

Date Supervision Commenced: 12/04/2009

Original Sentence: Prison - 84 Months; TSR - 48
Months

Date Supervision Expires: 12/03/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

CAUSE

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9th Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Robert Rich was asked whether he would waive his right to a hearing and agree to the modifications as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Mr. Rich has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12-4-09


Tommy Rosser
U.S. Probation Officer

Prob 12B

Re: Rich, Robert Lynn

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

12/11/09

Date